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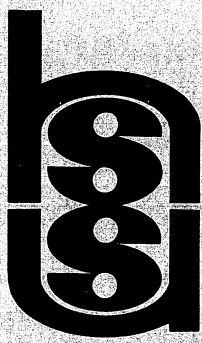
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# Update

Vol. 2, No. 2  
February 1974

## LEGISLATIVE UPDATE

The second session of the 93rd Congress convened on January 21. Measures not previously enacted remain eligible for consideration and retain their numbers. The HSUS Department of Information and Legislation, in consultation with Congressional aides, have attempted to identify the animal welfare proposals most likely to be considered during 1974:

**Predator Control** - Conservationists, lulled by the President's February 1972 Executive Order banning the use of poisons on public lands, have relaxed their guard, thus allowing woolgrowers, in collusion with the western Congressmen, to turn a well-intentioned predator control reform bill into a personal bonanza. The bill, which was only barely acceptable after its initial markup, became intolerable after further doctoring by the House Subcommittee on Fisheries and Wildlife Conservation. In fact, the reform measure was so extensively revised that it has been reintroduced with a new number, H.R. 11266.

As now written, H.R. 11266 would increase federal appropriations for killing programs and would authorize the administration of such projects by wool industry oriented state agriculture departments. The measure sets a dangerous legislative precedent by overriding the Environmental Protection Agency's authority to regulate chemical toxicants and removing virtually all controls over the use of the M-44, a refined coyote-getter. Both the United States Department of the Interior and the Environmental Protection Agency have informed Congress that H.R. 11266 as presently written is unacceptable, a position strongly supported by the HSUS.

**Humane Slaughter** - H.R. 8055, a bill to prohibit the importation of meat from inhumanely slaughtered livestock, has been tentatively designated for a March hearing before the House Agriculture Subcommittee on Livestock and Grains. The bill's sponsor, Rep. William Gunter (D-Fla.) is a member of the Livestock and Grains Subcommittee.



**Zoological Park Accreditation** - Rep. William Whitehurst (R-Va.) and Senator Mark Hatfield (R-Ore.) have revised and reintroduced their companion bills for the accreditation and authorization of zoos and aquariums. H.R. 12047 is pending before the House Subcommittee on Fisheries and Wildlife Conservation and S. 2774 was heard on January 23 before the Senate Subcommittee on the Smithsonian Institution. HSUS President John A. Hoyt, testifying at the invitation of Senator Hatfield, supported the concept of a federally sponsored zoological park accreditation program; however, he objected to a portion of the bill which vaguely defines the forms of zoo research which may be conducted with federal grants. Additionally, Mr. Hoyt questioned the wisdom of including nine representatives of zoological parks and aquariums on the 17 member Zoological Parks and Aquariums Board which would oversee administration of the Whitehurst-Hatfield bill. Printed copies of the HSUS testimony are available from the Department of Information and Legislation.

**Humane Trapping** - Consideration of the Congressional humane trapping reform bills has been delayed by the prolonged deliberations on predator control legislation. The House Subcommittee on Fisheries and Wildlife Conservation has indicated a willingness to schedule hearings on trapping legislation for the spring or early summer. In response to a rapidly spreading controversy regarding the most practical approach to trapping reform, the HSUS has announced its continued support for the Bayh-Anderson companion bills, S. 1637 and H.R. 8065. A fact sheet analyzing the two pending Congressional trapping reform bills is included as an addendum to this issue of Legislative Update.

**Animal Transportation** - The basic provision of the Weicker-Whitehurst companion bills pertaining to the protection of animals transported in air commerce, S. 399 and H.R. 1264, have strong support in the recommendations submitted to the Congress as part of the House Committee on Government Operations' report, Problems in Air Shipment of Domestic Animals. The Senate Committee on Commerce is expected to withhold consideration of S. 399 until the House of Representatives acts upon Mr. Whitehurst's companion proposal, which is currently pending before the Agriculture Subcommittee on Livestock and Grains. While the Subcommittee has several animal welfare proposals pending before it, including Rep. Gunter's H.R. 8055, the Committee on Government Operations' report weighs heavily in favor of hearings in the near future.

## **NEW CONGRESSIONAL LEGISLATION**

### **Senate**

**S.J.R. 184**, Senator Warren Magnuson (D-Wash.). To protect whales and certain other living marine resources. To the Senate Committee on Commerce.

**S. 1668**, Senator Lowell Weicker (R-Conn.). To amend the National Environmental Policy Act of 1969 in order to insure the balancing of environmental considerations with economic and social considerations in complying with the provisions of such Act. To the Senate Committee on Interior and Insular Affairs. Companion House bill H.R. 8858 (Steele, R-Conn.).



S. 2522, Senator Henry Bellmon (R-Okla.). To extend the application of the Act of March 3, 1891, relating to accommodations for the export of animals by vessels, to aircraft and other means of conveyance. To the Senate Committee on Agriculture and Forestry.

S. 2774, Senator Mark Hatfield (R-Ore.). To provide assistance in improving zoos and aquariums by creating a National Zoological and Aquarium Board. To the Senate Committee on Rules and Administration. Similar House bill H.R. 12047 (Whitehurst, R-Va.).

S. 2851, Senator Marlow Cook (R-Ky.). Relating to the Pioneer Weapons Hunting Area in the Daniel Boone National Forest, Kentucky. To the Senate Committee on Agriculture and Forestry.

#### House

H.C.R. 292, Rep. Peter Rodino (D-N.J.), identical to H.C.R. 40 (animals in research).

H.C.R. 328, Rep. Harold Froehlich (R-Wisc.), identical to H.C.R. 287 (National Snowmobiling Week).

H.C.R. 340, Rep. John Dent (D-Pa.), identical to H.C.R. 40 (animals in research).

H.C.R. 404, Rep. Joseph Gaydos (D-Pa.), identical to H.C.R. 40 (animals in research).

H.R. 9869, Rep. John B. Breaux (D-La.). To amend the Duck Stamp Act with respect to the treatment of monies received from the sale of migratory bird hunting stamps. To the House Committee on Merchant Marine and Fisheries. Identical House bills H.R. 10316, H.R. 10,886 and H.R. 11,613.

H.R. 10120, Rep. William Whitehurst (R-Va.), identical to H.R. 1264 (animals in air commerce).

H.R. 10121, Rep. William Whitehurst (R-Va.), identical to H.R. 1267 (amend Horse Protection Act).

H.R. 10185, Rep. William Whitehurst (R-Va.), identical to H.R. 1264 (animals in air commerce).

H.R. 10221, Rep. Jerome Waldie (D-Ca.). To prohibit the importation of harp seal and hooded seal articles. To the House Ways and Means Committee.

H.R. 10315, Rep. Mario Biaggi (D-N.Y.), similar to H.R. 4345 (allowing pets in rental housing projects). To the House Committee on Banking and Currency.

H.R. 10316, Rep. John B. Breaux (D-La.), identical to H.R. 9869 (hunting stamp).



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H.R. 10317, Rep. John B. Breaux (D-La.), identical to H.R. 9869 (hunting stamp).

H.R. 10433, Rep. Carleton King (R-N.Y.). To amend the Tariff Schedules of the United States with respect to the entry of horses. To the House Committee on Ways and Means.

H.R. 10481, Rep. Glenn M. Anderson (D-Ca.), identical to H.R. 8065 (trapping).

H.R. 10651, Rep. Henry Reuss (D-Wisc.). To amend the Fish and Wildlife Coordination Act with respect to stream alteration. The the House Committee on Merchant Marine and Fisheries.

H.R. 10755, Rep. William Gunter (D-Fla.), identical to H.R. 8055 (humane slaughter).

H.R. 10886, Rep. John B. Breaux (D-La.), identical to H.R. 9869 (hunting stamp).

H.R. 10942, Rep. Leonor Sullivan (D-Mo.). To amend the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755), as amended, to extend and adapt its provisions to the convention between the United States and the Government of Japan for the protection of migratory birds and birds in danger of extinction, and their environment, concluded at the city of Tokyo, March 4, 1972. To the House Committee on Merchant Marine and Fisheries.

H.R. 10972, Rep. George A. Goodling (R-Pa.). To delay for six months the taking effect of certain measures to provide additional funds for certain wildlife restoration projects. To the House Committee on Merchant Marine and Fisheries.

H.R. 11016, Rep. John Dingell (D-Mich.). To provide additional funds for certain projects relating to fish restoration. To the House Committee on Merchant Marine and Fisheries.

H.R. 11063, Rep. Joseph Minish (D-N.J.), similar to H.R. 835 (animals in air commerce). To the House Committee on Interstate and Foreign Commerce.

H.R. 11266, Rep. John Dingell (D-Mich.). Predator control. To the House Committee on Merchant Marine and Fisheries. (See discussion on page one of this Update.)

H.R. 11320, Rep. John R. Rarick (D-La.). To provide for the Forest Service, Department of Agriculture, to protect, develop and enhance the environment of certain of the nation's lands and resources, and for other purposes. To the House Committee on Agriculture.

H.R. 11332, Rep. James F. Hastings (R-N.Y.). To repeal the Act of January 5, 1927, relating to jurisdiction over the taking of fish and game within certain Indian reservations. To the House Committee on Interior and Insular Affairs.



H.R. 11425, Rep. Ken Hechler (D-W.Va.). To amend the Duck Stamp Act and other laws to prohibit the charging of any federal fee to any individual who has attained age sixty-five for the privilege of hunting, trapping or fishing. To the House Committee on Merchant Marine and Fisheries.

H.R. 11473, Rep. William Gunter (D-Fla.), identical to H.R. 8055 (humane slaughter).

H.R. 11541, Rep. Leonor Sullivan (D-Mo.). To amend the National Wildlife Refuge System Administration Act of 1966 in order to strengthen the standards under which the Secretary of the Interior may permit certain uses to be made of areas within the system and to require payment of the fair market value of rights-of-way or other interest granted in such areas in connection with such uses. To the House Committee on Merchant Marine and Fisheries.

H.R. 11613, Rep. John B. Breaux (D-La.), identical to H.R. 9869 (hunting stamp).

H.R. 11873, Rep. John Melcher (D-Mont.). To authorize the Secretary of Agriculture to encourage and assist the several states in carrying out a program of animal health research. Passed House 2/7/74 by vote of 324-23 and sent to Senate.

#### CONGRESSIONAL ACTION

**Endangered Species** - On December 28, 1973, the President signed into law a compromise version of the endangered species legislation, which is now Public Law 93-205.

**Tule Elk** - On September 24, 25 1973 the Subcommittee on Fisheries and Wildlife Conservation held hearings on H.J.R. 204 and related measures intended to establish a wildlife refuge for Tule Elk. HSUS Director of Information and Legislation Guy R. Hodge testified at the invitation of the Subcommittee, and a summary of Mr. Hodge's written statement appears in the January, 1974 HSUS News.

**Animal Health Research** - On February 7 H.R. 11873 was passed by a vote of 324-23 with a provision that a portion of the allocated funds be applied toward birth control research. The measure has now been referred to the Senate and opposition to the House version is not anticipated.

**Marine Mammals** - On January 17, 18, 1974 the Subcommittee on Fisheries and Wildlife Conservation held oversight hearings on the administration of the Marine Mammal Protection Act, P.L. 92-522. The hearings focused upon the impoundment of federal funds appropriated for implementation of the Act. Committee members also considered recommendations to delegate authority for marine mammal protection to state governments, a suggestion which the HSUS opposes.

**Animals in Air Commerce** - Hearings into problems in the air shipment of domestic animals were held before the House Special Studies Subcommittee



during the period of September 25 through 28. Testifying at the invitation of subcommittee chairman Floyd Hicks, the HSUS was represented by John A. Hoyt, President; Frank J. McMahon, Director of Investigations; and Guy R. Hodge, Director of Information and Legislation. A limited number of copies of the Committee Report on the Problems in Air Shipment of Domestic Animals (House Report No. 93-746) are available from the Special Studies Subcommittee, House Committee on Government Operations, Rayburn House Office Building, Washington, D. C., 20515.

**Zoological Parks and Aquariums** - On January 23, 1974 hearings were held before the Senate Subcommittee on the Smithsonian on S. 2774. (See page two of this report for a discussion of this legislation.)

**Congressional Restructuring** - The House of Representatives last year appointed a special committee chaired by Rep. Richard Bolling (D-Mo.) to develop a plan for the restructuring of standing committees. The committee's recommendations, which were recently made public, include the disbandment of the Committee on Merchant Marine and Fisheries, the legislative body which normally hears conservation proposals. The work of the Merchant Marine and Fisheries Committee is to be transferred to the Committee on Agriculture, a group which has been less than sympathetic to past animal welfare proposals. Rep. John Dingell (D-Mich.) is heading the effort to save the Committee on Merchant Marine and Fisheries and has issued a public plea for letters of support.

#### FEDERAL LAWS

**Falconry** - Proposed falconry regulations published in the Federal Register last July are being revised by the Bureau of Sport Fisheries and Wildlife as a result of public dissatisfaction with the initial draft. The original proposal would have permitted the capture and use of rare or endangered species for falconry.

**Animal Welfare Act** - On January 17 the Animal and Plant Health Inspection Service published an updated listing of animal dealers licensed in accordance with the Animal Welfare Act of 1970, P.L. 91-579. The new listing contains the names of 4,306 dealers. Copies of the new list may be obtained by writing the Animal Care Staff, Veterinary Services, APHIS-USDA, Federal Center Building #1, Hyattsville, Maryland, 20782.

**Endangered Species** - An attempt to illegally import 20 live cheetahs has cost noted animal dealer Fred J. Zeehandelaar \$5,000 and a 3 month jail sentence. Zeehandelaar was charged in federal court with the falsification of contracts and checks to show that he arranged to import the cheetahs prior to the time that the animals were placed on the Department of Interior's endangered species list.

**Polar Bear Treaty** - A new five nation agreement will protect polar bears from hunting by motorized vehicle, including aircraft, while also establishing their dens, feeding sites and migration routes as sanctuaries. Signatory nations include Canada, Denmark, Norway, Russia and the United States.



**Horse Protection Act** - The improved enforcement of the Horse Protection Act, P.L. 91-540, has been an outgrowth of the Congressional oversight hearings discussed in the September, 1973 Legislative Update. During September two Tennessee trainers were fined \$1,000 each for exhibiting sored horses and an Alabama trainer was fined \$500 for a similar offense. A third Tennessee trainer had to pay the court \$250 after conviction on a charge of impeding a federal officer in the performance of duties assigned under P.L. 91-540.

**Exotic Animals** - On December 20, 1973, the Bureau of Sport Fisheries and Wildlife published in the Federal Register a notice of proposed rulemaking which would prohibit the importation or interstate shipment of non-domestic wildlife except under special permit for zoological, educational, medical or scientific purposes. The action was taken pursuant to the provisions of the Lacey Act (18 U.S.C. 42) which authorizes the Secretary of Interior to prohibit the importation of animals which are injurious to humans or the interests of agriculture or wildlife.

The new regulations would affect all foreign wildlife except for four common species of birds and five common species of mice. Since permits would be required for all other wildlife, trafficking in exotic pets would be effectively curtailed. Already the pet trade has challenged the proposed BSWF regulations and requested exemptions for monkeys, turtles, snakes and other animals commonly imported for sale as pets.

Copies of the proposed regulations may be obtained by writing Director (FSF/LE), Bureau of Sport Fisheries and Wildlife, Washington, D. C., 20240. Letters of comment should be addressed to the same office.

**Drugs** - On January 1, 1974, the Federal Bureau of Narcotics and Dangerous Drugs reclassified pentobarbital, secobarbital and other Schedule III short-acting barbiturate anesthetics regulated under the Comprehensive Drug Abuse Prevention and Control Act of 1970. A total of nine barbituric acid derivatives, including those substances commonly used for animal euthanasia, were transferred to the highly restrictive Schedule II classification of regulated drugs.

## STATE LEGISLATION

**Veterinary technicians accreditation (Indiana)** - the state board of veterinary medical examiners has been authorized by a statutory amendment to screen and register animal technicians.

**Animal confiscation (Indiana)** - a recent amendment to the state animal protective statute authorizes the court to take custody of an animal that has been poorly treated by its owner or guardian. The owner of such animal is entitled to reasonable compensation for the animal as set by the court.

**Wolves (New York)** - members of the wolf family known as *canis lupus* have been added to the list of wildlife protected by state Agriculture and Market laws. This statutory amendment makes it illegal to sell or offer for sale any part of the skin or body of wolves.



Unclaimed animals (New Mexico) - a new state law permits the operators of veterinary hospitals, kennels, and other commercial animal care facilities to release unclaimed animals to municipal animal shelters for disposal. The law requires that the owner be given 10 days written notice prior to such disposition.

Animal importation (Maine) - under a recently passed law, the Commission of Inland Fisheries and Game is authorized to require permits for the importation of any animal deemed a menace to humans, wildlife or domestic stock. This measure is similar to the Lacey Act and could be used to restrict the importation of exotic pets into the state.

Definition of animals (Maine) - section 1051 of Title 17 of the Revised Statutes has been amended to define the term "animal" to include every living sentient creature. The amendment also adds cats to the list of domestic animals protected against death or malicious killing.

Dogs at large (Maine) - a new state law prohibits any dog from running at large except when being used for hunting.

Classroom experimentation (California) - The State Education Code has been amended to prohibit painful experimentation upon vertebrate animals. This provision applies to public, elementary and high schools and school related activities.

Seals (Maryland) - a new section added to article 27 of the Annotated Code of Maryland provides that it shall be unlawful to import, sell or offer for sale any part of the skin or body of seals.

Differentiating license fees (California) - effective September 4, 1973, municipal license fees for neutered dogs must be 1/2 or less than the fee required for potent animals.

Dog and cat skins (California) - an addition to section 598a of the State Penal Code provides that it shall be a misdemeanor to kill any dog or cat with the sole intent of selling or giving away the pelt of such animal. It shall also be illegal to sell, purchase, give, or accept the pelts of dogs or cats for prohibited purposes.

Powers of humane societies (Washington) - the state legislature has enacted a law authorizing municipal governments to grant exclusive privileges for cruelty investigations to one or more qualified humane societies for a period of up to three years.

Animal dealers (Wisconsin) - section 174.13(4) of the State Statutes has been amended to prohibit any person from possessing or transporting dogs and cats intended for use in research unless that person is licensed under the federal Animal Welfare Act of 1970.



Humane agents (Wisconsin) - a new state law prohibits humane officers from purchasing or selling animals for personal gain that come into their custody in the performance of their duties.

Animal control citations (California) - an addition to section 607g of the State Civil Code empowers municipal governments to authorize qualified humane agents and animal control officers to issue citations for violations of local animal control laws.

Disposition of impounded animals (Michigan) - section 8 of Act #224 requires that neither animal dealers nor municipal animal shelters may dispose of dogs and cats within 7 days of their acquisition. If the animal has a tag or other evidence of ownership, the operator of the shelter is required to notify the owner in writing of the animal's impoundment.

Euthanasia standards (California) - Chapter 12, Division 5 of the State Business and Professions Code, as amended in August, 1973, requires the inspection and approval of any carbon monoxide gas chamber or high-altitude decompression chamber to be used for the killing of dogs or cats.

Enforcement of animal protective statutes (Maine) - Title 7 of the State Revised Statutes has been revised to require the State Department of Agriculture to establish a division of animal welfare for the purpose of enforcing the state animal protective laws. The Act requires sheriffs, deputy sheriffs, police officers, constables and state humane agencies to investigate all cases of cruelty to animals coming to their knowledge. A seven member Advisory Board has been created to oversee administration of the new law.

Possession of wildlife (Massachusetts) - a new state law prohibits any person from taking, possessing, or selling wildlife (with certain exceptions) without having first obtained a permit or license from the state Division of Fisheries and Game. This law is intended to restrict trafficking in exotic pets.

Oregon court decision on cockfighting - In a December 3 declaratory judgment, the Oregon Court of Appeals ruled that game fowl are protected under existing state animal welfare laws and that such statutes are Constitutional as written. The appeals case was brought by the District Attorney for Jackson County and the Attorney General of Oregon in response to a lower court decision ruling portions of the state animal protection statutes unconstitutional. The Appeals Court decision renders cockfighting a presecutable offense under existing Oregon laws and thus halts the so-called sport in one of its last strongholds. The five states which still permit cockfighting are New Mexico, Oklahoma, Arizona, Florida, and Kansas.

Greyhound training (Florida) - Circuit Court Judge E. R. Mills has ordered greyhound farm owners to develop, by December 1, 1974, an alternative to the use of live rabbits in the training of greyhounds. In reaction to this decision, State Senator William M. Gillespie has introduced legislation which would ban the use of any live animal in greyhound training two months earlier, on October 1, 1974.



## MUNICIPAL LEGISLATION

The National League of Cities, the association of municipal governments representing 15,000 cities and counties, has adopted as part of its 1974 National Municipal Policy a statement on animal control. The policy statement was drafted in consultation with the HSUS Department of Information and Legislation. As enacted at the December 1973 Annual Congress of Cities the Statement reads:

Dog and cat overpopulation in urban areas is now recognized as a threat to health as well as an assault on urban aesthetics, a pollutant and a safety hazard. It also represents a major city expenditure. Citizens and governments must be made aware of the seriousness of the problem. Education programs must be reinforced with local requirements of owners to restrain dogs and cats, and control their breeding. Licensing fees should reflect the cost of city animal control programs, including shelters, mandatory sterilization of adopted animals, and cleaning up animal litter.

The League has entitled the theme of the February issue of its magazine, Nation's Cities, "The Dog: America's Sacred Cow?". The magazine features an article by Dr. Alan Beck, author of The Ecology of Stray Dogs and a side box by The Humane Society of the United States. Reprints are available from the HSUS Department of Information and Legislation at 25¢ per copy.

## NOTES OF INTEREST

The League of Conservation Voters has published its new voters chart rating Congressmen according to their votes on key environmental issues in 1972. Among the legislators achieving a perfect voting record were Bella Abzug (D-N.Y.), Brock Adams (D-Wash.), Edward Biester (R-Pa.), Ron Dellums (D-Ca.), Gilbert Gude (R-Md.), Ken Hechler (D-W.Va.), Ed Koch (D-N.Y.), Henry Reuss (D-Wisc.), Paul Sarbanes (D-Md.), and Charles Whalen (R-Ohio).

At the opposite end were those Congressmen who consistently voted for industrial development at the expense of the environment. Those legislators holding this distinction included Omar Burleson (D-Tex.), Del Clawson (R-Ca.), Barry Goldwater, Jr. (R-Ca.), Edward Hebert (D-La.), Dan Kuykendall (R-Tenn.), Dave Martin (R-Neb.), Wilbur Mills (D-Ark.), Robert Mollohan (D-W.Va.), and Joe Waggoner (D-La.). Seven additional Congressmen who also scored zero in the vote tally were not elected to new terms in the 93rd Congress.

Each Congressional voting year the League of Conservation Voters selects a dirty dozen list consisting of the twelve Congressmen who have done the most to pollute and despoil the environment. A complete list of the scores for all Congressmen may be obtained for \$1.00 by writing the League of Conservation Voters, 324 C Street, S.E., Washington, D. C., 20003.



Scofflaw - On the Lighter Side of Legislation - Lobbyists and newsmen seeking comic relief from the tensions of the 93rd Congress have developed an easy to play game. Using the last names of current members of the House and Senate they are titling fictitious legislative proposals. Among the most numerous entries overheard by the Department of Information and Legislation are the Devine-Wright Presidential Succession Bill, the Pepper-Rooney Pizza Standards Act, the Church-Chappell-Bell-Tower Prayer Amendment, the Cannon-Towell Bathroom Beautification Bill, the Young-Aiken-Hart-Case Movie Magazine Standards Bill, the Chisholm National Trails Act, the Moss-Hart Performing Arts Bill, and the Hunt-Heinz-Pickle-Pepper Food Additive Bill.



## FACT SHEET ON CONGRESSIONAL HUMANE TRAPPING BILLS

### Pending Proposals

There are, at the present time, two major humane trapping proposals before Congress. S. 1742, introduced by Senator Harrison Williams (D-N.J.), and H.R. 4712, introduced by Rep. Clarence Long (D-Md.), are similar bills which would prohibit the shipment in interstate and foreign commerce of fur from animals trapped in a state or country which does not prohibit the manufacture, sale or use of leghold traps.

S. 1637 and H.R. 8065 are companion bills sponsored by Senator Birch Bayh (D-Ind.) and Rep. Glenn Anderson (D-Cal.). This measure would prohibit the use of all traps, nets, snares and similar devices which do not painlessly capture or immediately kill their victims. Traps would be tested and evaluated by the U. S. Department of the Interior in consultation with an advisory committee.

### Bill Comparison

The Williams-Long bills attempt to restrict interstate commerce in furs, thereby causing a confrontation with politically influential furrier associations. While prescribing humane trapping regulations for state governments, both bills fail to apply the same standards to federally owned lands.

The Bayh-Anderson bills would regulate the use of all trapping devices, including but not limited to the steel jaw, leghold trap. The provisions of this bill would not apply to trapping on private property or state owned lands. However, since traps are primarily manufactured in only three states, the provisions restricting interstate commerce would effectively curtail distribution of traps which do not meet humane standards. The Bayh-Anderson bills provide for the continuing evaluation of traps and, therefore, would not be limited by current technology or existing trapping activities.

### Practicality

The approach to trapping reform embodied in H.R. 4712 and S. 1742 can be expected to precipitate a debate on the issue of states rights. Constitutional lawyers and state governments generally opposed federal legislation which attempts to dictate policy to the states through punitive sanctions. Advocates of increased state power would undoubtedly oppose the Williams-Long bills, a significant factor in the ultimate disposition of the measures.

The Bayh-Anderson bill has received a favorable report from the U. S. Department of Interior. This endorsement dramatically enhances the prospects of S. 1637 and H.R. 8065. The Bayh-Anderson bill evolved from the November, 1972 International Conference on Humane Trapping sponsored by the Canadian Association for Humane Trapping. The bill embodies a consensus of recommendations of conferees representing more than 20 national and international humane groups.



Padded, offset traps

The Conibear instant kill trap has proven ideal for use in underwater sets; however, testing has shown that it is generally ineffective at taking larger land animals such as coyotes. Until recently, therefore, there has been no humane trap for taking predatory animals. During the past six years California wildlife biologists have developed a padded, leghold trap with offset, malleable jaws for use in predator control operations. The traps have been extensively tested at San Diego State University and the University of California at Berkeley. While not ideal, the padded, offset trap is far superior to the conventional leghold trap.

###

Comparison Chart of Congressional Trapping Reform Bills

	Williams-Long S. 1742-H.R. 4712	Bayh-Anderson S. 1637-H.R. 8065
1. Does the bill restrict all inhumane traps?	leghold only	yes
2. Does the bill prohibit inhumane traps on public lands?	no	yes
3. Would the bill restrict trapping on state lands or private property?	only by encouraging voluntary enactment of state humane trapping laws	only by prohibiting interstate commerce in inhumane traps
4. Would the bill provide for the mandatory inspection of approved trap sets?	no	yes--at least once every 24 hours
5. Does the bill have the support of the federal wildlife management agency which would be assigned its administration?	no	yes
6. Would the bill allow use of padded, offset traps.	no--may actually force reliance upon less humane devices such as the taber trap which is designed to tear a coyote's skin, causing it to bleed to death	yes--if testing verified humane-ness